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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 KEITH ABEYTA,

8 Plaintiff,

9 v.

10 BNSF RAILWAY COMPANY, a  
11 Delaware corporation,

12 Defendants.

NO: 2:17-CV-0350-TOR

ORDER OF DISMISSAL WITH  
PREJUDICE

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14 BEFORE THE COURT is the parties' Joint Motion for Dismissal with  
15 Prejudice (ECF No. 39). The Court has reviewed the record and files herein, and is  
16 fully informed.

17 The parties have agreed that this action should be dismissed with prejudice  
18 and without costs to either party.

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 1. The parties' Joint Motion for Dismissal with Prejudice, ECF No. 39, is

3 **GRANTED.**

4 2. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, this action is

5 **DISMISSED** with prejudice and without costs to any party.

6 3. All pending motions, deadlines, hearings and trial are **STRICKEN** as moot.

7 The District Court Executive is directed to enter this Order and Judgment  
8 accordingly, furnish copies to counsel, and **CLOSE** the file.

9 **DATED** May 7, 2019.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
Chief United States District Judge